

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC. , a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**[PROPOSED] ORDER GRANTING
RIMINI STREET INC.'S MOTION
TO BIFURCATE WILLFULNESS
EVIDENCE AND EVIDENCE
RELATED SOLELY TO PUNITIVE
DAMAGES**

[PROPOSED] ORDER

Pending before this Court is Defendants Rimini Street, Inc. and Seth Ravin's ("Rimini") Motion To Bifurcate Willfulness Evidence And Evidence Relating Solely To Punitive Damages. Federal Rule of Civil Procedure 42(b) provides broad discretion for a trial court to "order a separate trial of one or more separate issues." Fed. R. Civ. P. 42(b). Having considered Defendant's Motion to Bifurcate, all related filings, and the record before the Court, and good cause existing:

IT IS HEREBY ORDERED THAT: Defendants' Motion to Bifurcate is GRANTED. Trial will proceed in two phases. In the first phase, subject to applicable rules of evidence, motions *in limine*, stipulations between the parties, or any other applicable authority, rule, or order from this Court, Oracle may offer relevant evidence to support its claims for non-willful copyright liability, non-willful economic copyright damages, and liability or compensatory damage for any non-copyright claims. In the second phase, if Oracle has not yet elected economic damages, subject to applicable rules of evidence, motions *in limine*, stipulations between the parties, or any other authority, rule, or order from this Court, Oracle may offer relevant evidence to support its claims for statutory damages based on willful copyright infringement and its entitlement to, and amount of,

1 punitive damages for any non-copyright claim on which Oracle has proven liability in the first phase
2 and for which Oracle has pleaded a demand for punitive damages.

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4 IT IS SO ORDERED.

DATED:

5 By: _____

6 Hon. Larry R. Hicks

7 United States District Judge
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